

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, MAY 8, 2012**

MEMBERS PRESENT: Paula Caron, Chair
John DiPasquale
Mike DiPietro
Paul Fontaine, Jr.
Mike Hurley
Kristin Sweeney Moore
Andrew Van Hazinga

MEMBERS ABSENT: Jeff Anderson (Associate member)

PLANNING OFFICE: Mike O'Hara

[Note: The Board's regular monthly meeting had been rescheduled from May 15th to May 8th]

Call to Order

Meeting called to order at 6:05 p.m. in the Veteran's Room, First Floor, City Hall.

Meeting Minutes

Motion made & seconded to approve minutes of the April 17, 2012 Planning Board meeting with minor corrections. Vote unanimous to approve.

ANR plans

Tibbett Circle, Lot 16C (cont'd from April)

Lot 16 was on original subdivision plan, but had been consolidated into the parcel to the rear (site of detention basin) later. There is access to the basin via a drainage easement across Lot 22 (257 Tibbett Circle). Lot 16C is proposed as a building lot.

The Board endorsed the plan.

Also, the Board voted unanimously to grant an extension for the completion of the subdivision road to 1/1/2013.

Fisher Rd., Lot 3, Lewis O. West property

One acre lot to be split from 47 acre parcel (former orchard). Sewer is available via force main, other nearby dwellings are connected, so minimum lot size is still 30,000 sq. ft.

The Board endorsed the plan.

Minor Site Plan Review

McDonald's, 114 Whalon St., outside seating

John Kucich, Bohler Engineering presented plan to add outdoor patio seating for 30 seats. Seating to be located in front patio of McDonald's under construction.

Mr. DiPasquale suggested there should be a separation from cars. John K. - they can provide a small fence and low landscaping at the perimeter of the seating area to provide a separation.

Board suggested providing trash container outside as well. McD's will do.

Motion made & seconded to approve minor site plan adding outdoor seating, with conditions about fence, landscaping & trash container, as suggested. Vote unanimous in favor.

Dragon Express, 23 Lunenburg St., sign

One provision of the sign section of Zoning Ordinance requires site plan review for attached signs that project out more than 12 inches. Co-owner of restaurant present.

Board reviewed plan & elevation of proposed wall sign & canopy sign.

Motion made & seconded to approve site plan.

Vote unanimous in favor.

Public Hearings

Site Plan Review – Merriam Ave. / South St. 10,000 sq. ft. retail building, Lisciotti Development

Greg Lisciotti present site plan & rendering of building. They will bring in 13,000 cu. yds. of fill to bring up grade of site.

Andrew Manning, Bohler Engineering described concerns w/ drainage identified by DPW.

There will be drainage improvements in the area, thru a MEMA grant. This project will be complete before those improvements are started, however.

Bill Scully, MS Transportation Systems present to discuss traffic impacts.

After study, he suggests that the South Street entrance be a "Right-in/Right-out" access, and the Merriam Ave access be the same -- "No Left Turn" out of site.

For northbound traffic exiting site there will be internal directional signs to direct traffic to the South St. exit and to the traffic signal in order to head northbound. Bill: There will be 50 trips during peak hour

Mr. DiPasquale: Are locations of driveways in the best locations?

Bill: They have optimized the location the South Street access; it is where MHD wanted it.

Motion made & seconded to close hearing. Vote unanimous in favor.

Motion made & seconded to grant Site Plan Approval of plan revised 5/8/12. Vote unanimous in favor.

Conditions:

- Provide external grease trap
- Install "No U-Turn" sign on the westbound South Street median, to prevent cars from entering site from South Street westbound.
- Install "No Left Turn" sign exiting onto Merriam Ave.

Repetitive Petition – to allow re-application of Special Permit within two years – Jenmar Corp.,

James Manor Rest Home, 222 South St.

Since it has been less than two years since denial, permission of the ZBA & Planning Board is needed in order for the ZBA to take the matter up again.

Atty. Mark Bodanza represented the applicant. The current proposal is 38% smaller than the previous proposal, it's six feet further away from the nearest neighbor, they've increased # of parking spaces from 6 to 10, total # bedrooms decreases by 3.

Mr. Fontaine: There have been clear changes from previous proposals.

Atty. Thomas Mullaney representing abutter, argued against the request. Applicant should wait the two years. It's tiresome for the abutter to keep having to come back for basically the same proposal. That's exactly why the law requires a two year wait to re-apply.

Applicant: It started out as a 3-family, then was a rest home in 1940s, then became a nursing home. Two year period would be up 11/18/2012.

Motion made & seconded to close hearing. Vote unanimous in favor.

Mr. Fontaine: Issue is whether there have been are sufficient changes to the proposal to allow it to back to the ZBA. r. DiPasquale agreed.

Motion made (Mr. Fontaine) & seconded (Mr. DiPasquale) to determine that there are sufficient changes in the application to justify allowing the "repetitive petition" to go forward.

Vote 6-0 in favor.

[At 7:00 p.m. the meeting moved upstairs to Second Floor Conference Room.]

Proposed "rear lot", 860 Fisher Rd., Gelinias

Hunter Gelinias in to present house location & septic plan for a lot split off as a rear lot on an "ANR" plan several years ago. Ms. Caron went through "rear lot" criteria in the Zoning Ordinance.

Motion made (Mr. Van Hazinga) & seconded (Mr. DiPasquale) to approve the lot as a rear lot.

Vote unanimous (6-0).

Special Permit - Christmas Oaks Development & Management, LLC, parking relief, 80 South St.

Bob Christmas, Pat McCarty & architect Jay Ferrara presented revised plan.

There had been 20 spaces on-site on the last approved plan.

Revised proposal had six. Intent is to keep appearance of building as residential as possible.

None of the 17 required parking spaces for residents will be provided on site, but they will lease spaces in one of the City's or Mart's parking garages. Van will be provided to shuttle residents to garage.

Mr. Fontaine: Abutters couldn't have seen the parking spaces in the original proposal.

The project is being set up for failure. He questioned its marketability. Tenants can't park on the side streets. Why is # of spaces reduced so drastically?

Board consensus – they have been consistent when considering other development projects -- they need adequate parking.

Bob Christmas: Issue started when applicant asked the ZBA for four more student beds.

Banks wouldn't finance 17 beds.

Discussion on ZBA conditions. Q: Were 25 or 21 beds approved?

Bob changed request prior to meeting to 21 beds.

Ms. Caron read criteria in Zoning Ordinance for parking relief.

She listed options:

- Deny special permit
- Applicant withdraws application
- Letter to ZBA suggesting that 20 parking spaces on site was the best use

Board agreed to have letter sent to ZBA suggesting that the plan revised 8-12-2011 (for 21 students), showing 20 parking spaces on site, is best for the site. They wanted a letter sent to the ZBA stating they would continue the hearing until the differences between the two plans could be resolved.

Bob Christmas is not opposed to the plan with 20 spaces.

Motion made & seconded to continue the hearing until next month & send a letter to the ZBA.

Vote unanimous (6-0).

Bob Christmas mentioned that he would be selling the former St. Joseph's School on Columbus St. rather than redeveloping it himself.

Special Permit / Site Plan Review – HCW Realty Trust, John Hoover, 480 Main St. open-air fast food restaurant

Jack Hoover presented plan. Previous approvals had expired.

He proposed to re-open hot dog stand near Halloween World once again, and have seasonal car shows.

Motion made & seconded to approve w/ conditions:

1. Hours of operation of hot dog stand shall not exceed 11:00 a.m. - 2:00 a.m. seven days a week.
2. Special Permit is limited to this applicant and is not transferable.
3. Site improvements listed below to be completed within 60 days of effective date of this Special Permit.
 - Landscaping is to be planted around the Water Street sign at a minimum.
 - Centerline stripe to be provided on access drive thru the rear of the property.
4. Open-air car shows to be limited to 7:00 a.m. to 11:00 p.m. on Saturdays & Sundays, April to November
5. Upon request of the City, a police detail is to be provided during the open-air car shows.
6. Planning Board review of the site & parking situation in one year from effective date of Special Permit.
7. Provide trash receptacle near concession stand & landscaping, and note them on revised plan.
8. Submit revised plan showing location of the designated parking areas for car shows.

Vote unanimous (6-0) in favor.

OTHER BUSINESS

(Mr. Van Hazinga recused himself from the following item due to his role on the CDC's Board.)

Petition – dwelling at 242 High St. - surplus property

City has acquired ownership of property. The plan is to move the dwelling over to a lot on High Street owned by the Twin Cities CDC. Motion made & seconded to recommend in favor of the petition.

Vote unanimous in favor.

Extension of time to complete - Parks-Cramer redevelopment, 68 Airport Rd. & 25 Newport St. (cont'd)

Brian Rehrig of Renco Management in to continue discussion from last month's meeting. He had requested extension of time period to complete project. Special Permit #2006-18, was two-fold: to build the commercial strip at 68 Airport Rd, which has been completed, and to renovate the Parks-Cramer building at 25 Newport St. into condos, which has not started.

Brian referred to letter dated 4-2-2012 to Board requesting the extension & the reasons.

Discussion about how to split responsibility for \$100K off-site contribution between the proponents of the two projects.

Brian: The Mill Conversion was the initiative; the commercial space was an afterthought.

Discussion on whether to let the approval for the back half of the development (25 Newport St.) expire,, and grant an extension on the front (Airport Rd.) half. There is still a freestanding building pad that was on the approved plan that has not yet been built. Brian wants to retain the right to build that. There are contaminated soils on that site.

Board agreed to continue the hearing for some clarification - - ask Legal Dept. on how to assign responsibility – who should be responsible for performing what conditions?

Board also agreed to grant extension on the Special Permit to three months from today's date, or to August 8, 2012

Waiver request – St. Anthony St. Extension (“South Street Crossing”) subdivision, Dave Aho

Dave Aho & Atty. Watts present to request that the Board waive the planted landscaped island & granite curbing. A similar request had been made before and the Board had denied it. It's now two years later

and the R.E. market is even worse. There are three lots left in the subdivision. Waivers would help w/ finishing the subdivision.

Dave: No other subdivision has all granite curbing.

Ethier St. & Parker Hill subdivisions have granite at the roundings.

After discussion, motion made & seconded to waive granite curbing except at the roundings at intersections and at the headers to CBs, but to keep the planted landscaped island. The inside radius can be bituminous curbing; the outside radius must be sloped granite.

Vote unanimous (6-0).

In 2010 the Board had granted an extension of time to complete the subdivision to 6/15/2012. The Board agreed to grant another two year extension, to 6/15/2014.

Roosevelt Street earth removal

Board was filled in on site visit that afternoon. Bill French will install stone to reduce runoff to street. He anticipates moving a large amount of material due to a new municipal contract. There is stockpiled material that DPW can take. He will be filing a Notice of Intent.

"Wachusett Station" site plan

Board briefly reviewed site plan submitted with Notice of Intent.

Meeting adjourned: 10:11 p.m.

Next meeting: June 26, 2012

Approved: January 15, 2013